

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant(s): LIM, Seok-Hun **Examiner:** SAJEDA, Muhebullah
SERIAL NO.: 10/757,911 **Art Unit:** 2174
FILED: January 14, 2004
FOR: **METHOD OF CHANGING SETTING OF USER SETTING MENU
IN A MOBILE TERMINAL**

Mail Stop Amendment
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

**SUPPLEMENTAL 37 C.F.R. § 1.131 DECLARATION OF PRIOR INVENTION
MADE IN THE UNITED STATES, A NAFTA MEMBER COUNTRY, OR A WTO
MEMBER COUNTRY TO OVERCOME A CITED PATENT PUBLICATION**

Sir:

I, Mr. Seok-Hun LIM, do hereby declare that:

1. I am the inventor of the invention set forth in all the claims of U.S. patent application No. 10/757,991.
2. This Declaration is submitted to establish invention of the above-referenced patent application in the United States of America, in a NAFTA member country, or in a WTO member country.
3. This Declaration further submitted to establish conception of my invention of the above-referenced application in the Republic of Korea prior to November 27, 2002, which I have been informed is the effective filing date of U.S. Patent No. 6,990,333, which I have been informed was cited by the Examiner in the above-identified application.

4. This Declaration is further submitted to establish reduction to practice of the invention in the United States, a NAFTA member country, or a WTO member country.
5. This Declaration is further submitted to establish diligence from prior to November 27, 2002 until a subsequent reduction to practice or to the filing of Korean Patent Application No. 7493-2003 ("KPA" or "my invention", herein) on February 6, 2003, which I have been informed this U.S. Application Serial No. 10/757,991 claims priority to.
6. To establish the conception of my invention prior to the November 27, 2002, reduction to practice of my invention, and due diligence from prior to November 27, 2002 until reduction to practice of my invention, the following documents are attached hereto and are submitted as evidence:
 - a. Exhibit A, which I have been informed is a copy of an Invention Disclosure Document, maintained by Samsung Electronics Co., Ltd. (hereinafter, "Samsung") in the ordinary course of business;
 - b. Exhibit B, which I have been informed is a certified translation of Exhibit A;
 - c. Exhibit C, which I have been informed is a copy of a draft of application number 7493-2003, which was provided to Samsung by February 5, 2003; and
 - d. Exhibit D, which I have been informed is a certified translation of Exhibit C.
7. The Invention Disclosure Document, provided as Exhibit A, establishes conception of my invention prior at least as early as October 9, 2002, which is prior to November 27, 2002.
8. Diligence existed from prior to November 27, 2002, until a subsequent reduction to practice or filing of Korean Patent Application No. 7493-2003 on February 6, 2003.

Diligence in reducing my invention to practice is shown by the following chronology of acts:

- a. Page 2 of Exhibits A and B show evaluation of my invention on October 9th and 10th and November 4th and 13th 2002, commencing the process of preparing Korean Patent Application No. 7493-2003 for filing.
- b. On October 9, 2002, I evaluated the invention.
- c. I have been informed that on October 10, 2002, Hyeong-Mun NO, the Invention Team Leader, evaluated the invention.
- d. I have been informed that on October 11, 2002, the Patent Team received an invention report of my invention and completed an evaluation of the invention on November 4, 2002.
- e. I have been informed that on October 24, 2002, Samsung Electronics Co., Ltd. (hereinafter, "Samsung"), which is the assignee of U.S. Patent Application No. 10/757,911, initiated an investigation to determine whether to prepare an application based upon the Invention Disclosure Document for filing in the Korean Patent Office.
- f. I have been informed that on November 3, 2002, Samsung reported a result of the investigation, indicating a recommendation to proceed with preparation of an application based upon the Invention Disclosure Document.
- g. I have been informed that on November 13, 2002, the Evaluation Committee evaluated the invention.

- h. I have been informed that, in accordance with results of the evaluation performed by the Evaluation Committee, on November 25, 2002, as shown in page 3 of Exhibit C and Exhibit D, Samsung authorized K.J. Lee to prepare a draft of the KPA according to information included in the Invention Disclosure Document.
- i. I have been informed that during at least the period between November 25, 2002 and February 5, 2003, K.J. Lee exercised reasonable diligence in preparing the draft of the KPA, as shown in pages 1-3 of Exhibit C and Exhibit D, in consideration of expeditiously processing a backlog of other cases and the following chronology of acts:
 - i. I have been informed that on January 8, 2003, K.J. Lee reviewed the Invention Disclosure Document.
 - ii. On January 9, 2003, I met with K.J. Lee to discuss my invention.
 - iii. I have been informed that on January 16, 2003, K.J. Lee conducted a preliminary patentability review of my invention.
 - iv. I have been informed that during at least the period between January 23, 2003 and February 5, 2003, K.J. Lee prepared drawings and a draft of the KPA.
 - v. I have been informed that on February 5, 2003, K.J. Lee sent the draft of the KPA to Samsung.
 - vi. On February 6, 2003, Samsung instructed K.J. Lee to file the KPA in the Korean Intellectual Property Office.

vii. I have been informed that on February 6, 2003, K.J. Lee filed the KPA in the Korean Intellectual Property Office.

9. Exhibits A, B, C, and D, together with this Declaration, establish conception of my invention before the effective date of Andrew et al. coupled with diligence from prior to said date to the filing of Korean Patent Application No. 2003-7493.

10. I further declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under section 1001 of Title 18 of the United States Code, and that such willful false statement may jeopardize the validity of the application or any patent issuing thereon.

Date: April 14, 2011


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